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*Attorneys for Defendant*  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DANIEL DONOHUE, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 5:11-cv-05337 LHK

**CLASS ACTION**

**JOINT STIPULATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE;  
~~PROPOSED~~ ORDER**

Judge: Hon. Lucy H. Koh  
Complaint Filed: November 3, 2011  
Trial Date: None Set

1 Plaintiff and defendant Apple Inc. ("Apple"), by and through their respective counsel,  
2 hereby stipulate as follows:

3 WHEREAS, a Case Management Conference is scheduled in this matter for January 18,  
4 2012;

5 WHEREAS, due to unexpected scheduling issues, the parties were not able to meet and  
6 confer, pursuant to Rule 26(f) and Local Rule 16-9, with sufficient time to complete the required  
7 joint statement and Rule 26(f) report;

8 WHEREAS, the parties agree that additional time is needed to permit the parties to  
9 continue to meet and confer regarding issues pertinent to the joint statement and Rule 26(f)  
10 report;

11 NOW THEREFORE, the parties stipulate and respectfully request that the Court issue an  
12 Order as follows:

13 The Case Management Conference in this matter, scheduled for January 18, 2012 at 2:00  
14 p.m., is continued until February 1, 2012 at 2:00 p.m. The parties' deadline to file their joint  
15 statement and Rule 26(f) report is January 25, 2012.

16 IT IS SO STIPULATED

17 Dated: January 11, 2012

PENELOPE A. PREVOLOS  
STUART C. PLUNKETT  
SUZANNA P. BRICKMAN  
MORRISON & FOERSTER LLP

20  
21 By: /s/ Penelope A. Preovolos  
Penelope A. Preovolos

22 *Attorneys for Defendant*  
23 APPLE INC.  
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1 Dated: January 11, 2012

KATHRYN DIEMER  
DIEMER, WHITMER & CARDOSI LLP

2 MARK BULGARELLI (*admitted pro hac*  
3 *vice*)

4 ALEX STEPICK  
FRANK JABLONSKI  
5 PROGRESSIVE LAW GROUP, LLC

6 By: /s/ Mark Bulgarelli  
7 Mark Bulgarelli

8 Attorneys for Plaintiff  
9 DANIEL DONOHUE

10  
11 I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file  
12 this Stipulation. In compliance with General Order 45, section X.B., I hereby attest that I have on  
13 file the concurrences for any signatures indicated by a "conformed" signature (/s/) within this  
14 efiled document.

15 By: /s/ Penelope A. Preovolos  
16 Penelope A. Preovolos

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 Date: January 12, 2012

19   
20 Hon. Lucy H. Koh  
21 United States District Judge  
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